

# Declaration and Power of Attorney

## United States Patent Application

Attorney Docket No.: 03-52794

UNITED STATES (Form BDWY-1)  
 Patents and Design Patents  
 Sole & Joint Inventor  
 Convention & Non-convention  
 PCT & Non-PCT  
 This form cannot be amended, altered  
 or changed after it is signed  
 (For use only for inventors who  
 understand the English language.)

As a below named Inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled RANEY CATALYST, PROCESS FOR PRODUCING IT AND PROCESS FOR PRODUCING A SUGAR-ALCOHOL USING THE SAME, the specification of which (check one)  is attached hereto.

was filed as U.S. Application No. 08/743,081 on November 4, 1996 and (if applicable) was amended on \_\_\_\_\_  
 was filed as PCT International Application No. on \_\_\_\_\_  
 and (if applicable) was amended under PCT Article 19 on \_\_\_\_\_

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §§ 119(a)-(d) or § 365(b) of any foreign and PCT application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America listed in this Declaration. I have also identified below any foreign application for patent or inventor's certificate or PCT international application having a filing date before that of the application(s) on which priority is claimed:

Foreign/PCT Application No.	Country	Filing Date	Priority Claimed? (yes/no)
7-313,720	Japan	November 8, 1995	YES

I hereby claim the benefit under Title 35, United States Code, § 120 or § 365(c) of any United States application and PCT international application designating the United States of America listed in this Declaration and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

U.S. Application No.	Filing Date	Status (patented/pending/abandoned?)

I hereby claim priority benefits under Title 35 United States Code § 119(e) of any U.S. provisional application(s) listed below:

U.S. Provisional Application No.	Filing Date

I hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Joseph A. DeGrandi (17446), Robert G. Weilacher (20531), Richard G. Young (20628), Michael A. Makuch (32263), Dennis C. Rodgers (32936), Thomas L. Evans (35805) and Maurice U. Cohn (30454).

Send all correspondence to Beveridge, DeGrandi, Weilacher & Young, L.L.P., Suite 800, 1850 M Street, N.W., Washington, D.C. 20036. Facsimiles may be sent to (202) 659-1462. Direct all telephone calls to (202) 659-2811.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor:

Koshiro SHIMAZU

Citizenship: Japan

Residence (city, state, country):

Shizuoka, Japan

Post office address:

3589-12, Imaizumi, Fuji-shi, Shizuoka 417 JAPAN

Signature:

Koshiro Shimazu

Date: December 27, 1996

Additional inventors and/or prior applications are listed in attached Supplemental Sheet(s).

BDWY 995

## Supplemental Sheet to U.S. Declaration and Power of Attorney

(BDWY-1 supp.)

## Additional Inventor(s):

I hereby declare that all statements made in the attached Declaration and Power of Attorney of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of second joint inventor, if any: Yoshiaki TATENO Citizenship: Japan  
 Residence (city, state, country): Shizuoka, Japan  
 Post office address: 1333-55, Atsuhara, Fuji-Shi, Shizuoka 419-01 Japan

Signature: Yoshiaki Tate Date: December 27, 1996

Full name of third joint inventor, if any: Mitsuo MAGARA Citizenship: Japan  
 Residence (city, state, country): Shizuoka JAPAN  
 Post office address: 61-18, Nekoya, Numazu-shi, Shizuoka 410-03, Japan

Signature: Mitsuo Magara Date: December 27, 1996

Full name of fourth joint inventor, if any: Naoki OKAMOTO Citizenship: Japan  
 Residence (city, state, country): Chiba, Japan  
 Post office address: 4-61-17, Minamihashima, Matsudo-Shi, Chiba 271 JAPAN

Signature: Naoki Okamoto Date: December 27, 1996

Full name of fifth joint inventor, if any: Takao OHSHIMA Citizenship: Japan  
 Residence (city, state, country): Saitama, Japan  
 Post office address: 8-33, Mukaimachi, Gyoda-shi Saitama 361, Japan

Signature: Takao Ohshima Date: December 27, 1996

Full name of sixth joint inventor, if any: Minoru NAGASAWA Citizenship: Japan  
 Residence (city, state, country): Saitama, Japan  
 Post office address: 4-9-3, Tsuji, Urawa-shi, Saitama 336, Japan

Signature: Minoru Nagasawa Date: December 27, 1996

Full name of seventh joint inventor, if any: Hideki SAKAMURA Citizenship: Japan  
 Residence (city, state, country): Gunma, Japan  
 Post office address: 1695-2, Hanetsuku, Tatebayashi-shi, Gunma 374, Japan

Signature: Hideki Sakamura Date: December 27, 1996

## Additional Foreign/PCT Applications:

Foreign/PCT Application No.	Country	Filing Date	Priority Claimed? (yes/no)

## Additional U.S. Applications:

U.S. Application No.	Filing Date	Status (patented/pending/abandoned?)

## Additional Provisional U.S. Applications:

U.S. Provisional Application No.	Filing Date

BDW Form SED-2  
 Small Entity  
 Small Business Concern

Applicant or Patentee: (inventors) Koshiro SHIMAZU, Yoshiaki TATENO, Mitsu MAGARA, Naoki OKAMOTO, Takao OHSHIMA, Minoru NAGASAWA and Hideki SAKAMURA

Serial or Patent No.: (if known) 08/743,081 Filed or Issued: (if known) November 4, 1996

For: (invention title) RANEY CATALYST, PROCESS FOR PRODUCING IT AND PROCESS FOR PRODUCING A SUGAR-ALCOHOL USING THE SAME Atty. Dkt. No.: 03-52794

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 C.F.R. §§ 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am: (check one)

the owner of the small business concern identified below;  
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN

Nikko Rica Corporation

ADDRESS OF CONCERN

Tohoseimei Bldg., 4-4-10, Nihonbashi-muromachi, Chuo-ku, Tokyo 103, Japan

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 37 C.F.R. §§ 121.3-18, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under § 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above-identified invention described in

(check one)  the specification filed herewith  
 application Serial No. 08/743,081, filed November 4, 1996  
 patent no. \_\_\_\_\_, issued \_\_\_\_\_

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. § 1.9(c) or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

**NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averting to their status as small entities. (37 C.F.R. § 1.27)**

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL

SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

INDIVIDUAL

SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee of any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Hisao ISHII

TITLE OF PERSON OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING c/o NIKKO RICA CORPORATION, Tohoseimei Bldg., 4-4-10, Nihonbashi-muromachi, Chuo-ku, Tokyo 103 JAPAN

NATURE \_\_\_\_\_

DATE December 27, 1996

BDW Form SED-2  
 Small Entity  
 Small Business Concern

Applicant or Patentee: (inventors) Koshiro SHIMAZU, Yoshiaki TATENO, Mitsuo MAGARA, Naoki OKAMOTO, Takao OHSHIMA, Minoru NAGASAWA and Hideki SAKAMURA

Serial or Patent No.: (if known) 08/743,081 Filed or Issued: (if known) November 4, 1996 Atty. Dkt. No.: 03-52794  
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**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 C.F.R. §§ 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am: (check one)

the owner of the small business concern identified below:  
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN  
 ADDRESS OF CONCERN

Towa Chemical Industry Co., Ltd.  
8-7, Yaesu 2-chome, Chuo-ku, Tokyo 104, Japan

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 C.F.R. §§ 121.3-18, and reproduced in 37 C.F.R. § 1.9(d), for purposes of paying reduced fees under § 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

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(check one)  the specification filed herewith  
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If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 C.F.R. § 1.9(c) or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

**NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averting to their status as small entities. (37 C.F.R. § 1.27)**

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_

INDIVIDUAL  SMALL BUSINESS CONCERN  NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee of any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Yoshihisa ASAI

TITLE OF PERSON OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING c/o TOWA CHEMICAL INDUSTRY CO., LTD., 8-7, Yaesu 2-chome, Chuo-ku, Tokyo 104 JAPAN

SIGNATURE Yoshihisa Asai

DATE December 27, 1996